

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

MATTHEW JONES,

Plaintiff,

v.

DR. DAVID KALKSTEIN,

Defendant.

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C.A. No. K19C-07-032 WLW

**ORDER**

The Court, having reviewed the filings in this case, must dismiss the Complaint without prejudice. On April 9, 2017, the Court issued an order in *Matthew Jones v. Dover Behavioral Health Systems and Dr. Khaled Mirza*<sup>1</sup> which stated that pursuant to 10 *Del.C.* §8803(e) all future requests to file claims filed by Mr. Jones must be accompanied by an affidavit certifying that (1) The claims sought to be litigated have never been raised or disposed of before any court; (2) the facts alleged are true and correct; (3) the affiant has made a diligent and good faith effort to determine what relevant case law controls the legal issues raised; (4) the affiant has no reason to believe the claims are foreclosed by controlling law; and (5) the affiant understands that the affidavit is made under penalty of perjury.

Should Mr. Jones continue to not comply with orders of this Court or file a complaint that is legally or factually frivolous, this Court may issue an order to show cause why sanctions should not be imposed.<sup>2</sup>

In this case, Mr. Jones has failed to comply with the August 9, 2017 order.

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<sup>1</sup> 2017 WL 3493118, at \*2 (Del. Super. Aug. 9, 2017).

<sup>2</sup> 10 *Del. C.* §8803(b).

*Matthew Jones v. Dr. David Kalkstein*  
C.A. No. K19C-07-032 WLW  
November 21, 2019

Therefore, the Complaint is **DISMISSED** without prejudice.

IT IS SO ORDERED this 21st day of November, 2019.

/s/ William L. Witham, Jr.  
Resident Judge

WLW/dmh

oc: Prothonotary

cc: Mr. Matthew Jones, *pro se*